

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen Tabah

Serial No.: 10/789,741

Filed: February 27, 2004

For: Flush Valve Toilet

REFUND REQUEST FOR EXTENSION OF TIME FEE

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

Applicant respectfully requests a credit of \$490.00 which was overcharged in filing a Response to a Notice of Missing Parts for the above-identified patent application.

The Credit Card Form submitted with the Response to Notice of Missing Parts, copy attached, authorized a charge of \$773 including a \$490 for a three month extension of time fee, a surcharge fee of \$65 and \$130 fee for filing a Non-English Specification. An additional charge of \$490 was made to Deposit Account No. 50-2828 as evidenced by the attached statement.

Please credit Deposit Account No. 50-2828 with the amount of \$490.00 to cover this overcharge.

Should you have any questions or require anything further please contact applicant's attorney at the address indicated below.

Respectfully submitted,  
Stephen Tabah

By: 

Jack Schwartz  
Reg. No. 34,721

Jack Schwartz & Associates  
1350 Broadway, Suite 1510  
New York, NY 10018-7702  
(212) 971-0416  
Dated: December 9, 2004

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 773.00)

## Complete if Known

Application Number 10/789,741  
Filing Date February 27, 2004  
First Named Inventor Paul Boisvertq  
Examiner Name N/A  
Art Unit N/A  
Attorney Docket No. P2146US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 50-2828

Deposit Account Name Jack Schwartz

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description        | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 790                   | 2001 395                   | Utility filing fee     |          |
| 1002 350                   | 2002 175                   | Design filing fee      |          |
| 1003 550                   | 2003 275                   | Plant filing fee       |          |
| 1004 790                   | 2004 395                   | Reissue filing fee     |          |
| 1005 160                   | 2005 80                    | Provisional filing fee |          |
| SUBTOTAL (1) (\$)          |                            |                        |          |

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims         | Extra Claims | Fee from below | Fee Paid |
|----------------------|--------------|----------------|----------|
| Independent Claims 4 | -20** = 2    | 88             | 88       |
| Multiple Dependent   | -3** = 2     | 88             | 88       |

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  |
|----------------------------|----------------------------|--|
| 1202 18                    | 2202 9                     | Claims in excess of 20                                     |
| 1201 88                    | 2201 44                    | Independent claims in excess of 3                          |
| 1203 300                   | 2203 150                   | Multiple dependent claim, if not paid                      |
| 1204 88                    | 2204 44                    | ** Reissue independent claims over original patent         |
| 1205 18                    | 2205 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 88.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

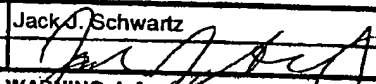
| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description  | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130                   | 2051 65                    | Surcharge - late filing fee or oath  | 65.00    |
| 1052 50                    | 2052 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                   | 1053 130                   | Non-English specification  | 130.00   |
| 1812 2,520                 | 1812 2,520                 | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804 920*                  | 1804 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                | 1805 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                   | 2251 55                    | Extension for reply within first month                                     |          |
| 1252 430                   | 2252 215                   | Extension for reply within second month                                    |          |
| 1253 980                   | 2253 490                   | Extension for reply within third month                                     | 490.00   |
| 1254 1,530                 | 2254 765                   | Extension for reply within fourth month                                    |          |
| 1255 2,080                 | 2255 1,040                 | Extension for reply within fifth month                                     |          |
| 1401 340                   | 2401 170                   | Notice of Appeal   |          |
| 1402 340                   | 2402 170                   | Filing a brief in support of an appeal                                     |          |
| 1403 300                   | 2403 150                   | Request for oral hearing   |          |
| 1451 1,510                 | 1451 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452 110                   | 2452 55                    | Petition to revive - unavoidable   |          |
| 1453 1,370                 | 2453 685                   | Petition to revive - unintentional   |          |
| 1501 1,370                 | 2501 685                   | Utility issue fee (or reissue)   |          |
| 1502 490                   | 2502 245                   | Design issue fee   |          |
| 1503 660                   | 2503 330                   | Plant issue fee  |          |
| 1460 130                   | 1460 130                   | Petitions to the Commissioner  |          |
| 1807 50                    | 1807 50                    | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                   | 1806 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021 40                    | 8021 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809 790                   | 2809 395                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 790                   | 2810 395                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 790                   | 2801 395                   | Request for Continued Examination (RCE)                                    |          |
| 1802 900                   | 1802 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 685.00)

## SUBMITTED BY

|                   |   |                                   |                  |           |              |
|-------------------|---|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Jack J. Schwartz  | Registration No. (Attorney/Agent) | 34,721           | Telephone | 212-971-0416 |
| Signature         |  | Date                              | October 25, 2004 |           |              |

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Deposit Account Statement**

Requested Statement Month: November 2004  
Deposit Account Number: 502828  
Name: JACK SCHWARTZ & ASSOCIATES  
Attention: JACK SCHWARTZ  
Address: 1350 BROADWAY  
City: NEW YORK  
State: NY  
Zip: 10018

| DATE  | SEQ | POSTING<br>REF TXT | ATTORNEY<br>DOCKET<br>NBR | FEE<br>CODE | AMT      | BAL        |
|-------|-----|--------------------|---------------------------|-------------|----------|------------|
| 11/17 | 271 | 10514136           | 1031-18                   | 1613        | \$30.00  | \$1,964.00 |
| 11/23 | 202 | 29170548           | 1030-10                   | 1502        | \$10.00  | \$1,954.00 |
| 11/24 | 17  | 10789741           | P2146US                   | 2253        | \$490.00 | \$1,464.00 |

| START<br>BALANCE | SUM OF<br>CHARGES | SUM OF<br>REPLENISH | END<br>BALANCE |
|------------------|-------------------|---------------------|----------------|
| \$1,994.00       | \$530.00          | \$ .00              | \$1,464.00     |

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**Jack Schwartz & Associates**

1350 Broadway, Suite 1510

New York, New York

10018-7702

**TELEFAX TRANSMITTAL**

**December 9, 2004**

To: USPTO

Fax #: (703) 308-5077

From: Jack Schwartz

Fax #: (212) 971-0417

Re: Request for Corrected Registration Certificate

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10/789,741

P2146US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Paul Boisvert  
Serial No.: 10/789,741  
Filed : February 27, 2004  
For : Flash Valve  
Examiner: N/A  
Art Unit: N/A

**PRELIMINARY AMENDMENT IN SATISFACTION  
OF THE NOTICE OF MISSING PARTS**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts dated May 25, 2004, for which a two month period ending July 25, 2004, for which a three month extension ending on October 25, 2004 is respectfully requested, please consider the following comments and remarks and amend the application as indicated.

Enclosed is a authorization to charge a credit card in the amount of seven hundred and seventy three dollars (\$773.00). This authorization includes the fee of four hundred and ninety dollars (\$490.00) as required by 37 CFR 1.17(a)(3) for the requested three month extension along with the sixty five dollar (\$65.00) surcharge for the late declaration and the one hundred and thirty dollars (\$130.00) for the English language translation surcharge. Additionally, the surcharge of eighty-eight dollars (\$88.00) for two independent claim in excess of three is also to be charged to the credit card.

**Amendments to the Title begin on page 2;**

**Amendments to the Abstract begin on page 3;**

**Amendments to the Drawings begin on page 4;**

**Amendments to the Specification begin on page 5;**

**Listing/Amendments to the Claims begin on page 6; and**

**Remarks begin on page 7.**

V/28/2004 WASFAW1 00000045 10789741

FC:2253

490.00 DP

Adjustment date: 01/24/2005 SDIRETA1  
11/24/2004 MNGUYEN 00000013 502828 10789741  
01 FC:2253 490.00 CR

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